

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective December 29, 1999

Application or Docket Number

09/477700

## CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE		
TOTAL CLAIMS	90 minus 20 =	70
INDEPENDENT CLAIMS	19 minus 3 =	16
MULTIPLE DEPENDENT CLAIM PRESENT		

\* If the difference in column 1 is less than zero, enter "0" in column 2

## CLAIMS AS AMENDED - PART II

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	9	90	= 1
Independent	3	19	=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total			=
Independent			=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total			=
Independent			=
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

### SMALL ENTITY TYPE ☐

RATE	FEE
	345.00
X\$ 9=	
X39=	
+130=	
TOTAL	

### OTHER THAN SMALL ENTITY

RATE	FEE
	690.00
X\$18=	1,260.00
X78=	1,260.00
+260=	
TOTAL	3,198.00

### SMALL ENTITY TYPE ☐

RATE	ADDITIONAL FEE
X\$ 9=	
X39=	
+130=	
TOTAL ADDIT. FEE	

### OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE
X\$18=	
X78=	
+260=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$ 9=	
X39=	
+130=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X78=	
+260=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$ 9=	
X39=	
+130=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X78=	
+260=	
TOTAL ADDIT. FEE	

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	09/477,700
Filing Date	January 6, 2000
Confirmation Number	9604
First Named Inventor	Walter P. Sjursen
Group Art Unit	2643
Examiner Name	Tuan D. Nguyen
Attorney Docket Number	2506 1008-001

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicants may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.33(d) (PTO/SB-79) instead of a RCE to be eligible for the prompt term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000), Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [ ]  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on [ ]

iii. ☐ Other - [ ]

b. ☐ Please do not enter the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on [ ]

c. ☒ Enclosed

i. ☒ Amendment

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☒ Petition for Extension of Time - three month(s) with copy

v. ☐ Other - [ ]

## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of [ ] months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other - [ ]

## 3. Fees

The RCE fee under 37 CFR § 1.17(e) is required by 37 CFR § 1.114 when the RCE is filed.

a. ☐ A check is enclosed for the following fees in the total amount of \$( )  
OR

☒ Authorization is granted to charge the following fees in the total amount of \$1,810.00 to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Amendment Fee

iv. ☐ Other - [ ]

b. ☒ Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Kevin T. Shaughnessy	Registration No. (Attorney/Agent)	51,014
Signature	<i>Kevin T. Shaughnessy</i>	Date	12/27/04

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below

Name (Print/Type)	Jennifer Torrey	Date	12-27-04
Signature	<i>Jennifer Torrey</i>		

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Walter P. Sjursen, Derek D. Mahoney, John M. Margolin, Frederick J. Fritz,  
John G. Aceti, David A. Preves and Ponnusamy Palanisamy

Application No.: 09/477,700

Group: 2643

RECEIVED  
CENTRAL FAX CENTER

Filed: January 6, 2000

Examiner: Nguyen, Tuan Duc

DEC 27 2004

Confirmation No.: 9604

For: HEARING AID WITH LARGE DIAPHRAGM MICROPHONE ELEMENT  
INCLUDING A PRINTED CIRCUIT BOARD

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
Date 12-27-04	Signature Jennifer Tarpey
Typed or printed name of person signing certificate Jennifer Tarpey	

PETITION FOR EXTENSION OF TIME

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned attorney petitions the Commissioner for Patents to extend the time for filing a Notice of Appeal in reply to the Office Action made Final dated June 25, 2004 for three months, from September 25, 2004 to December 25, 2004 under 37 CFR § 1.136(a).

The Applicant is not filing a Notice of Appeal at this time but is filing an Amendment and a Request for Continued Examination concurrently herewith.

	Small Entity	Other than Small Entity
1 month -	\$ 60	\$ 120
2 months -	\$ 225	\$ 450
3 months -	\$ 510	X \$1,020
4 months -	\$ 795	\$1,590
5 months -	\$1,080	\$2,160

- [ ] A check is enclosed in the amount of the extension fee indicated above, or the extension fee has been included in the check with the accompanying Reply.
- [X] Please charge Deposit Account No. 08-0380 in the amount of \$1,020.00 to cover the cost of the extension fee.

Any deficiency or overpayment should be charged or credited to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

06/30/2005 SCARMICH 00000003 080380 09477700

02 FC:1253 1020.00 DA

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Kevin T. Shaughnessy  
Kevin T. Shaughnessy  
Registration No. 51,014  
Telephone (978) 341-0036  
Facsimile (978) 341-0136

Concord, Massachusetts 01742-9133

Dated: 12/27/04